

Draft Order laid before Parliament under section 156(4) of the Political Parties, Elections and Referendums Act 2000 and section 29(2) of the Regional Assemblies (Preparations) Act 2003, for approval by resolution of each House of Parliament

DRAFT STATUTORY INSTRUMENTS

2004 No.

**DEVOLUTION, ENGLAND
LOCAL GOVERNMENT, ENGLAND
REFERENDUMS
REPRESENTATION OF THE PEOPLE**

The Regional Assembly and Local Government Referendums
(Date of Referendums, Referendum Question and Explanatory
Material) (Yorkshire and the Humber Region) Order 2004

<i>Made</i>	- - - -	<i>2004</i>
<i>Coming into force</i>	- -	<i>2004</i>

Whereas—

- (a) the First Secretary of State has considered, in relation to the region specified in this Order, the level of interest in that region in the holding of a referendum in that region about the establishment of an elected assembly for that region;
- (b) on 25th May 2004, pursuant to a direction given on 16th June 2003 under section 13(1) of the Regional Assemblies (Preparations) Act 2003⁽¹⁾, the Secretary of State received recommendations from the Boundary Committee for England in relation to that region;
- (c) a period of not less than six weeks has expired since the receipt of those recommendations⁽²⁾; and
- (d) the Secretary of State has no cause to think that the levels of interest referred to in paragraph (a) have changed materially since the date on which his direction was given:

Now, therefore, the First Secretary of State, in exercise of the functions conferred by sections 1(1), 2(2) and 3(6) and his powers under sections 2(9) and 5 of the Regional Assemblies (Preparations) Act 2003 and section 109(6) of the Political Parties, Elections and Referendums Act 2000⁽³⁾, and having consulted the Electoral Commission in accordance with section 3(7) of the Regional Assemblies (Preparations) Act 2003 and section 156 of the Political Parties, Elections and Referendums Act

⁽¹⁾ 2003 c. 10.

⁽²⁾ See section 2(7) of the Regional Assemblies (Preparations) Act 2003.

⁽³⁾ 2000 c. 41.

2000, hereby makes the following Order, of which a draft has been laid before, and approved by resolution of, each House of Parliament:

Citation and commencement

1. This Order may be cited as the Regional Assembly and Local Government Referendums (Date of Referendums, Referendum Question and Explanatory Material) (Yorkshire and the Humber Region) Order 2004 and shall come into force on the day after that on which it is made.

Interpretation

2. In this Order—
- “the Preparations Act” means the Regional Assemblies (Preparations) Act 2003; and
 - “North Yorkshire” means the county area of North Yorkshire.

Regional Assembly referendum

3. On 4th November 2004 a referendum shall be held in the Yorkshire and the Humber region about the establishment of an elected assembly for that region.

Local government referendum

4. On 4th November 2004 a referendum shall be held in North Yorkshire about the government’s proposals for the structure of local government in that county area.

Referendum period

5. The referendum period for a referendum held under article 3 or 4—
- (a) begins on the date on which this Order comes into force; and
 - (b) ends with the date of the referendum.

Alteration of time for application and designation of designated organisations

6.—(1) For the purposes of section 109 of the Political Parties, Elections and Referendums Act 2000⁽⁴⁾, the period of 28 days referred to in subsections (2) and (3) of that section shall have effect in relation to a referendum held under article 3, as if it were a period of 42 days.

(2) For the purposes of section 9 of the Preparations Act, the appropriate day in relation to a referendum held under article 3 is—

- (a) the fifty-seventh day of the referendum period if one or more applications under section 109 of the Political Parties, Elections and Referendums Act 2000 (applications for assistance under section 110 of that Act) is made before the forty-third day of the referendum period in relation to each possible outcome of the referendum;
- (b) the forty-third day of the referendum period in any other case.

(4) 2000 c. 41.

Text of options

7. In relation to North Yorkshire, the text of the options to be inserted in the referendum question specified in section 3(3) of the Preparations Act, is—

“Option A—one single tier local authority (see map for option A).

Option B—four single tier local authorities (see map for option B).”.

Explanatory material

8. The explanatory material set out in the Schedule, which relates to the options in article 7, will be made available for voters at the time they vote in the referendum in North Yorkshire.

Signed by authority of the First Secretary of State

Minister of State,
Office of the Deputy Prime Minister

SCHEDULE

Article 8

Explanatory material for options for North Yorkshire

***EXPLANATORY INFORMATION ABOUT THE REFERENDUM OPTIONS
FOR SINGLE TIER LOCAL GOVERNMENT IN NORTH YORKSHIRE***

You currently live in an area that has both a county council and a district council. This is known as two tier local government. However there are already many areas in England, especially the larger towns and cities, where single tier local government exists, with all local government services being provided by the one authority.

Your county council provides large scale services across the whole of the county and is responsible for transport, minerals and waste planning, highways, education, consumer protection, refuse disposal, libraries and personal social services. Your district council has a more local focus, providing services in its own area and is responsible for environmental health, housing, most planning decisions and refuse collection. Both county and district councils can provide facilities such as museums, art galleries and parks.

If an elected Regional Assembly is established for the Yorkshire and the Humber region, local authorities in your area will be reorganised. This means that your county and district council will be replaced by a single tier local authority which will deliver all local government services.

You are asked to help decide how the current pattern of two tier local authorities in North Yorkshire would be reorganised into a single tier.

You have two options to choose from. Please express a preference for either Option A or Option B on the ballot paper titled “*Referendum on Options for Single Tier Local Government*”.

The options

Option A: this option proposes the creation of one single tier local authority—North Yorkshire; covering the whole of the existing county council area.

The existing district councils of Craven, Hambleton, Harrogate, Richmondshire, Ryedale, Scarborough and Selby would be abolished.

This single tier local authority would exercise the functions of the existing county council and those of the former district councils.

Option B: this option proposes the creation of four single tier local authorities. The areas of these single tier authorities would be formed from combinations of existing district council areas and the expansion of an existing single tier authority by the addition of the whole of an existing district council area.

North Yorkshire county council and the existing district councils of Craven, Hambleton, Harrogate, Richmondshire, Ryedale, Scarborough and Selby would be abolished.

In its area, each single tier local authority would exercise the functions of the former district councils and those of the former North Yorkshire county council.

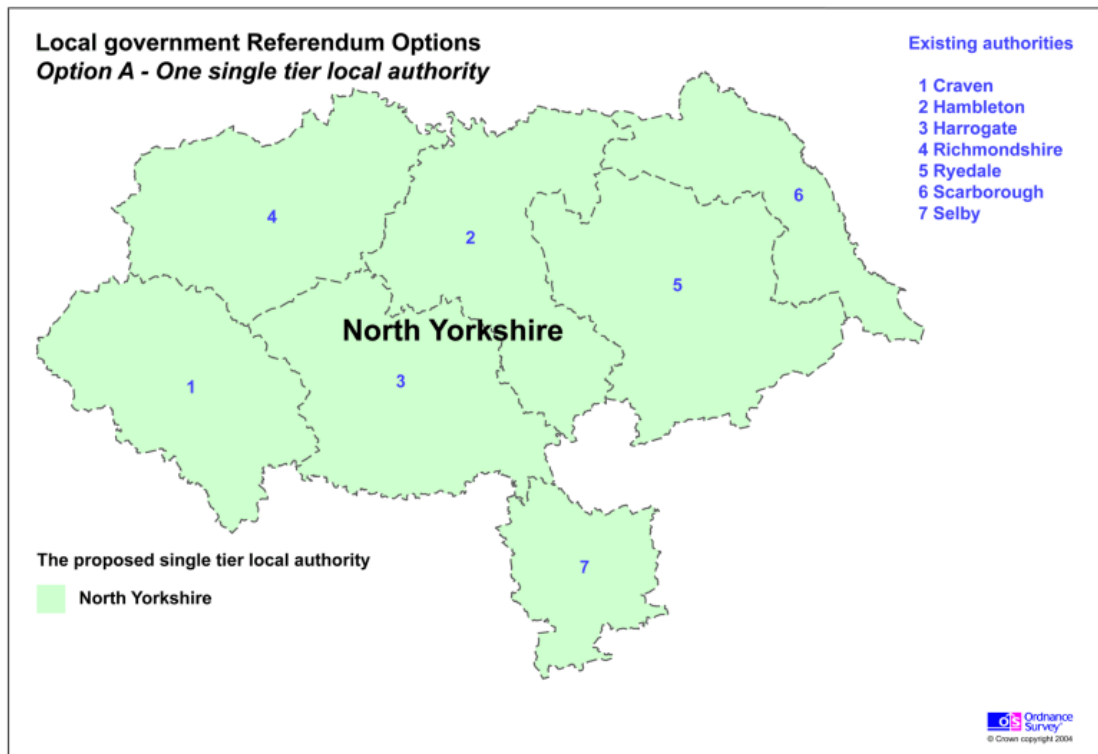
The proposed single tier local authorities are:

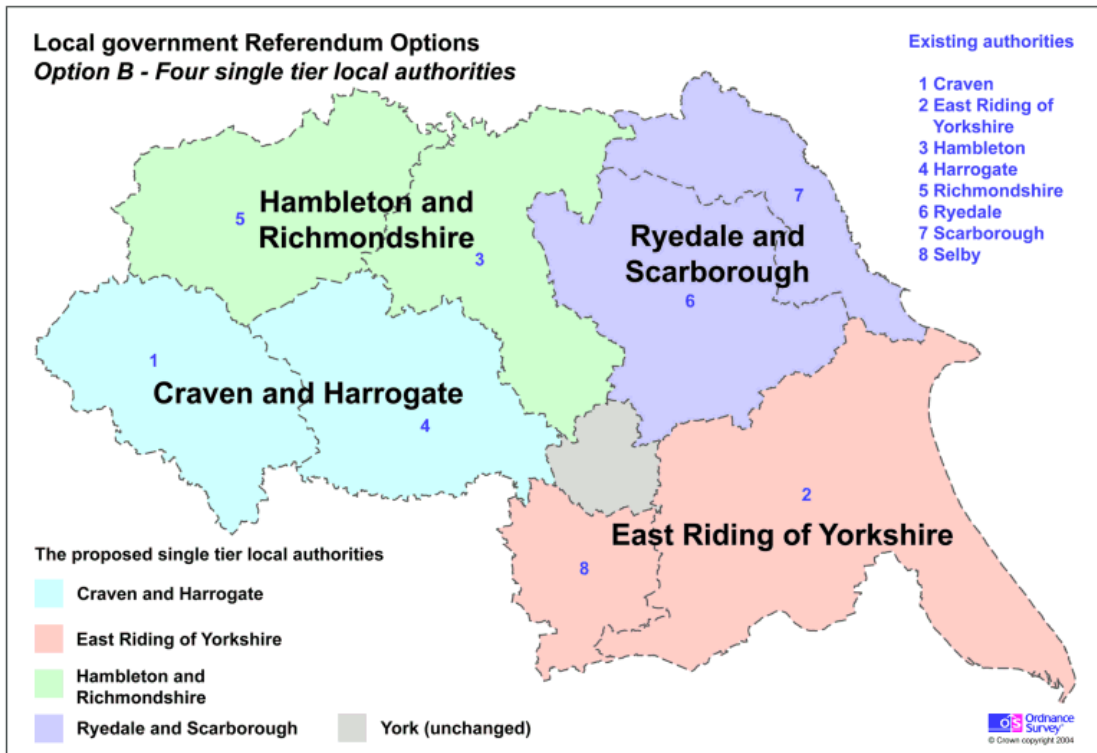
1. Craven and Harrogate: this authority would cover the former districts of Craven and Harrogate.
2. East Riding of Yorkshire: the existing single tier local authority of the East Riding of Yorkshire would be expanded to include the former district of Selby.
3. Hambleton and Richmondshire: this authority would cover the former districts of Hambleton and Richmondshire.

4. Ryedale and Scarborough: this authority would cover the former districts of Ryedale and Scarborough.

Option A and Option B are illustrated on the maps in this explanatory information.

For more information contact the Electoral Commission on 0800-3280-280, textphone 0800-3280-838 or visit www.regionalvote.co.uk.





EXPLANATORY NOTE

(This note is not part of the Order)

Part 1 of the Regional Assemblies (Preparations) Act 2003 provides for the holding of a referendum in a region about the establishment of an elected assembly for that region (“a Regional Assembly referendum”) and on the same date holding referendums in the parts of the region that have both county and district councils, about the reorganisation of those local authorities into a single tier of local government (“a local government referendum”).

Article 3 of this Order provides for the holding of a Regional Assembly referendum in Yorkshire and the Humber.

Article 4 provides for the holding of a local government referendum in the county area of North Yorkshire (in the Yorkshire and the Humber region).

Article 5 specifies the referendum period for each of the referendums.

Article 6 changes the period for applications to be made by a permitted participant at a Regional Assembly referendum held under this Order for appointment by the Electoral Commission as a designated organisation entitled to assistance with their campaigning. The period for application under section 109 of the Political Parties, Elections and Referendums Act 2000 becomes 42 days from the beginning of the referendum period, instead of 28 days. The date from which, in default of appointing a designated organisation, the Electoral Commission may provide information to voters

about the Regional Assembly referendum issues, is 14 days later than provided in the Regional Assemblies (Preparations) Act 2003. It becomes the 57th day of the referendum period if applications for designation are made, or the 43rd day if applications for designation are not made.

The local government referendum question asks voters to express a preference on the options presented for single tier local government. Article 7 sets out the text of the options for North Yorkshire that will be put in the question to voters.

Article 8 gives effect to the Schedule which sets out the explanatory material that will be made available for voters about the options for single tier local government in North Yorkshire.

A full Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on the costs of businesses, charities or voluntary bodies.